

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Sep 21, 2018

SEAN F. McAVOY, CLERK

for the

Eastern District of Washington

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Martin Anthony White

Case Number: 0980 2:11CR02127-SAB-1

Address of Offender:

Yakima, Washington 98902

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Stanley A. Bastian, U.S. District Judge

Date of Original Sentence: May 29, 2012

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison - 57 months
TSR - 36 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: AUSA

Date Supervision Commenced: July 27, 2018

Defense Attorney: Federal Defenders Office

Date Supervision Expires: July 26, 2021

PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number	Nature of Noncompliance
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1 **Mandatory Condition #3:** The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

Supporting Evidence: Mr. White is alleged to have used methamphetamine on July 30, August 9, 17, and 18, 2018.

On July 30, 2018, supervised release conditions were reviewed and signed by Mr. White acknowledging his understanding of mandatory condition number 3, which prohibits him from using a controlled substance.

On July 30, 2018, Mr. White reported to the probation office and submitted to a drug test which returned positive for methamphetamine. Mr. White signed an admission/denial form admitting to having used methamphetamine on this same date.

On July 30, 2018, Mr. White reviewed and signed the substance abuse testing instructions acknowledging his understanding of the testing program. He was instructed to call the Merit

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Resource Services (Merit) color line system for the color brown. When his color brown is called, he is to report to Merit and submit to a drug screen. On August 9, 2018, Mr. White reported to Merit and provided a urine sample which tested presumptive positive for methamphetamine. Mr. White denied the use of this substance so the sample was sent to Alere Toxicology Services for confirmation. On August 14, 2018, the undersigned received a report from Alere Toxicology which confirmed the sample as positive for methamphetamine.

On August 17, 2018, Mr. White reported to his Washington State Department of Corrections Officer. Mr. White signed a letter of admission admitting to having used methamphetamine on this same date.

On August 23, 2018, Mr. White reported to the probation office as directed and submitted to a drug screen which tested presumptive positive for methamphetamine. Mr. White signed an admission/denial form admitting to having used methamphetamine on or about August 18, 2018.

2

Standard Condition #3: The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: Mr. White failed to remain at his residence as instructed for a home inspection on August 9, 2018.

On July 30, 2018, supervised release conditions were reviewed and signed by Mr. Martin acknowledging his understanding of standard condition number 3, which requires him to follow the instructions of the probation officer.

On August 8, 2018, Mr. White reported to the probation office for an intake appointment. He was advised a home inspection would be conducted on August 9, 2018, in the afternoon and was directed to be home at that time. Mr. White stated he would be home waiting for this officer to completed the home inspection. On August 9, 2018, a home visit was conducted, but Mr. White was not home. This officer met with Mr. White's aunt who reported that Mr. White had left earlier that morning and did not know when he would return. Mr. White failed to be present at his listed residence for the purpose of a home inspection on August 9, 2018 and made no attempt to contact the undersigned officer to reschedule.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: September 20, 2018

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

September 21, 2018

Date